

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

VINCENT LEE,)
)
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Plaintiff,)
)
)
v.) Case No. 4:21-cv-00251-DGK
)
)
JUDGE COREY CARTER, et al.,)
)
)
Defendants.)

ORDER DENYING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT

Now before the Court is Plaintiff *pro se* Vincent Lee's motion for default judgment. Defendant requests the Court enter a default judgment against Defendants Judge Corey Carter, Megan Pfannensteil, Mayor Quinton Lucas, Brian Platt, Marilyn Sanders, Tammy L. Queen, Douglas Jones, Terry Rynard, and Michael Shaw. ECF No. 10. According to Plaintiff's motion, each of these defendants are City of Kansas City employees. Defendant sued each in their official and personal capacities. ECF No. 1.

Defendant argues that each of these defendants failed to answer or otherwise respond to his Complaint in their official capacity and that the Court should therefore hold each of them in default. However, the City of Kansas City filed a motion to dismiss the Complaint for failure to state a claim. Mot., ECF No. 4. Because “[a] suit against a government officer in his official capacity is functionally equivalent to a suit against the employing governmental entity,” *Veatch v. Bartels Lutheran Home*, 627 F.3d 1254, 1257 (8th Cir. 2010), a defendant named in his or her official capacity is not required to answer or respond independently of the employing governmental entity. The motion is therefore DENIED.

IT IS SO ORDERED.

Date: February 28, 2022

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT